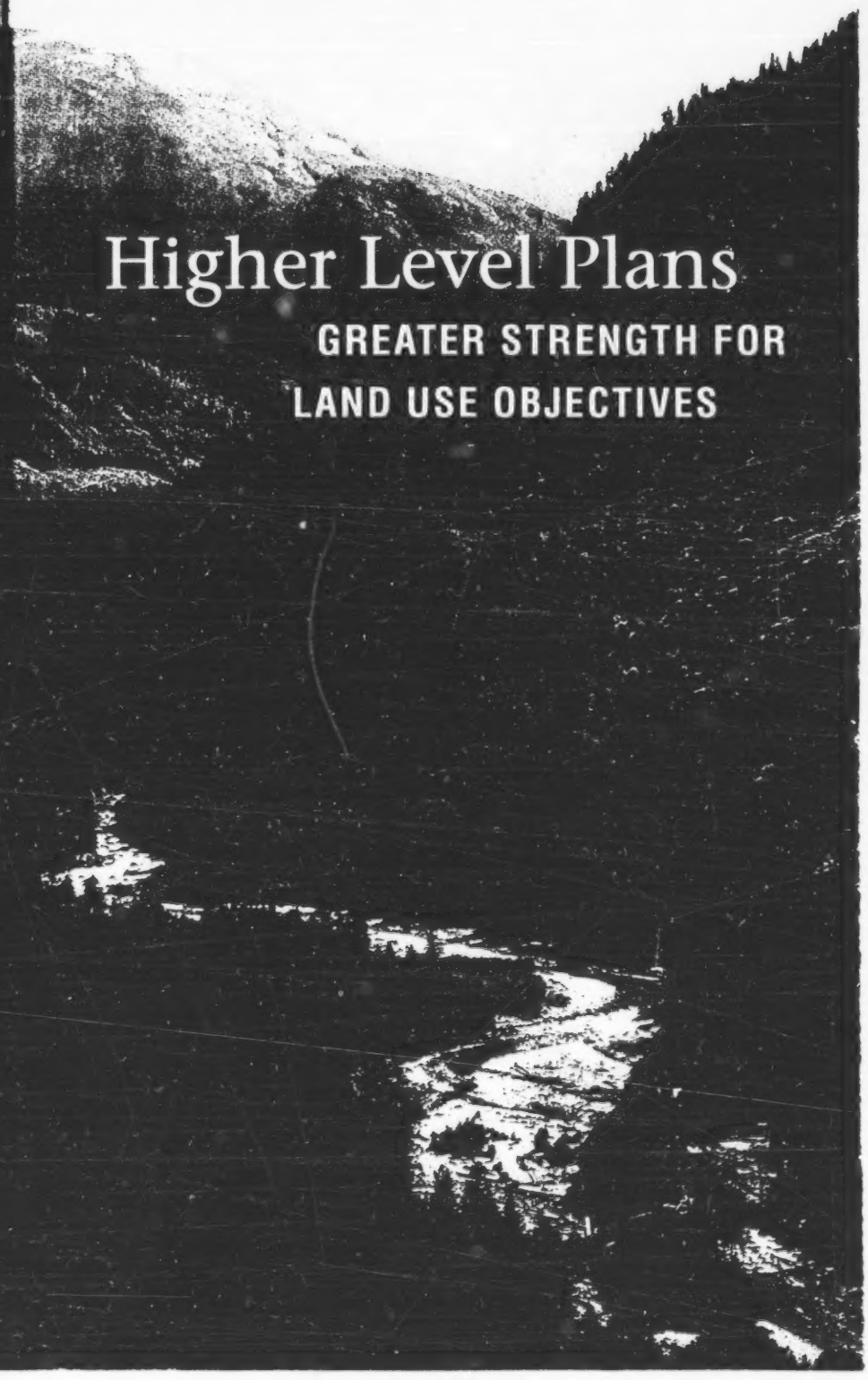
What is a Higher Level Plan?

Why have HLPs been created?

How do HLPs strengthen the link between strategic and operational [illegible]?



Higher Level Plans

GREATER STRENGTH FOR LAND USE OBJECTIVES

BRITISH COLUMBIA
Ministry of Forests

101-03085/

LAND USE PLANNING IN BRITISH COLUMBIA

In British Columbia, strategic land use planning is used to develop resource management objectives for public lands. It frequently involves stakeholders, representing an array of interests, who seek a balance in managing for diverse social, economic, and environmental values.

Strategic land use plans, such as Regional Land Use Plans and Land and Resource Management Plans (LRMPs), identify land use zones and associated resource management objectives and strategies for large areas.

▼

This booklet focuses on Higher Level Plans (HLPs) and their relationship with strategic land use plans.

When Cabinet approves a strategic land use plan, it may be implemented as policy or through legislation.

As *policy*, strategic land use objectives guide statutory decision-makers on resource management issues. When enabled through legislation such as the *Protected Areas of British Columbia Act* or the *Forest Practices Code of British Columbia Act* (FPC Act), strategic land use objectives become *legally* enforceable.

▼

HLPs are one means under the FPC Act to make specific forest resource management objectives legally binding.

Q. Why are strategic land use plans implemented as both policy and through legislation?

A. Strategic land use plans identify resource management objectives for large areas with diverse environments and variable information bases. Objectives that relate to broad concepts unsuitable for implementation through legislation, or which have no legislation to make them legally binding, are most appropriate as policy guidance. Objectives that have readily measurable outcomes and a legislative mechanism (such as the FPC Act) to make them binding can be legally established through legislation.

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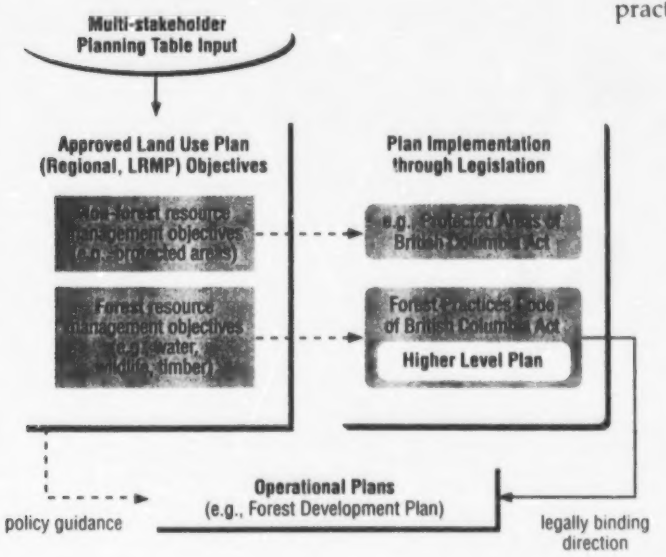
HIGHER LEVEL PLANS AND THE FOREST PRACTICES CODE

Policy and legislation—implementing approved land use plans

Some resource management objectives in approved land use plans may be considered as policy. Some objectives need to be implemented through legislation. The FPC Act and HLPs legally direct operational planning for forest resources.


Multi-stakeholder Planning Table Input
Approved Land Use Plan (Regional, LRMP) Objectives
Plan Implementation through Legislation
e.g., Protected Areas of British Columbia Act
Forest Practices Code of British Columbia Act
Higher Level Plan
Operational Plans (e.g., Forest Development Plan)
policy guidance
legally binding direction

Q. What is the relationship between Regional Land Use Plans/LRMPs and HLPs?

A. Regional Land Use Plans and LRMPs address many issues and resource values that can be implemented through legislation or as government policy. HLPs, through the FPC Act, enable some of the forest resource management objectives from Regional Land Use Plans and LRMPs to be made legally binding.

Strategic land use plans commonly identify management objectives for forest resources such as timber, water, wildlife, and biological diversity. These objectives provide *policy* guidance to professionals preparing operational plans. Operational plans detail on-the-ground procedures for forestry activities such as timber harvesting and riparian management. Through the establishment of HLPs, strategic land use plans can *legally* influence forest practices.

FPC legislation (FPC Act and regulations) provides *legally binding* direction for developing operational plans and managing forest resources in British Columbia.

FPC legislation has several provisions that help to achieve forest resource management objectives. These include provisions for Identified Wildlife that enable conservation of habitat for threatened species through the Identified Wildlife Management Strategy (IWMS), and regulations that enable management decisions such as the creation of riparian reserve zones.

HLPs are one provision of the FPC Act that enables specific forest resource management objectives to be made legally binding and direct operational planning.

By making some strategic land use plan objectives legally binding, HLPs offer additional assurance that the vision and intent of strategic land use plans is carried through to practices on the ground.[1] HLPs provide a means to supplement FPC legislation to address local resource management issues.

[1] Approved strategic land use plans with no HLP provisions still provide important policy guidance that statutory decision-makers may consider when approving operational plans.

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WHAT IS A HIGHER LEVEL PLAN?

A Higher Level Plan (HLP) is a provision of the FPC Act used to make specific forest resource management objectives legally binding.

▼

HLPs are one provision of the FPC Act that legally directs operational planning.

Contrary to its name, an HLP is not a plan in the traditional sense. An HLP is a forest resource management objective that becomes legally binding through a written order approved and signed by one or more statutory decision-makers as defined under the FPC Act.

An HLP applies to a specified area of provincial Crown land such as a resource management zone (RMZ), landscape unit (LU), sensitive area (SA), interpretive forest site, recreation site, or trail. RMZ–HLPs are often derived from approved strategic land use plans.

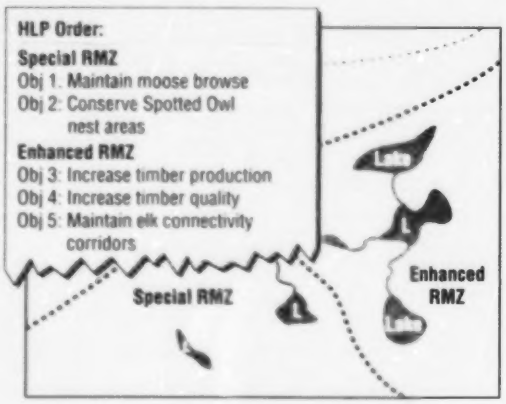
▼

An HLP is simply a forest resource management objective that is established as legally binding through a written order.

An MOF district manager* can only approve an operational plan, such as a Forest Development Plan (FDP), that meets all the requirements of FPC legislation and is consistent with all HLPs affecting the FDP area.

HLP order and map

The HLP order is the written document that establishes the HLP objectives, the boundaries of the area to which they apply, and the date that the HLP will take effect.



Note: The illustration indicates objective "themes."
See "Content of Higher Level Plans" for examples of HLP objectives.

Q. What is the purpose of HLPs?

A. HLPs enable government to make forest resource management objectives, often derived from strategic land use plans, legally binding. In this way, HLPs help to increase accountability in operational planning. HLPs also offer a means to vary or extend FPC legislation to address local resource management issues.

* Note: In some cases, a Ministry of Environment, Lands and Parks designated environment official (DEO) must jointly approve an operational plan.

WHY CREATE HIGHER LEVEL PLANS?

Higher Level Plans were included in the FPC Act to provide a legal mechanism to:

- *vary* some provisions of FPC legislation where the legislation allows, to address locally specific resource management issues.

  For example, FPC legislation allows an HLP to vary maximum cutblock size from standard regulations.

- *extend* the provisions of FPC legislation by establishing specific legal direction not already or not sufficiently detailed in FPC legislation.

  HLPs enable decision-makers to tailor legal provisions to local resource management situations.

  For example, an HLP can extend the standard provisions for grizzly bear conservation or those available for other threatened and endangered species under the Identified Wildlife Management Strategy (IWMS).

▼

HLPs provide a means to vary or extend FPC legislation to address local resource management issues.

Q. Is there a requirement to prepare HLPs?

A. No. While the FPC Act provides for HLPs to make selected forest resource management objectives legally binding, it does not require that HLPs be established.

Q. Can HLP requirements vary FPC Act regulations?

A. Yes. An HLP can introduce a requirement that varies from those in FPC Act regulations if:

- the regulations specifically allow an HLP to vary the noted limit or specification, or
- the HLP objective still meets or exceeds the minimum FPC Act requirements.

Q. Can operational plans be approved without HLPs in place?

A. Yes. An MOF district manager can approve an operational plan without an established HLP for the area so long as the operational plan meets all the requirements of FPC legislation.

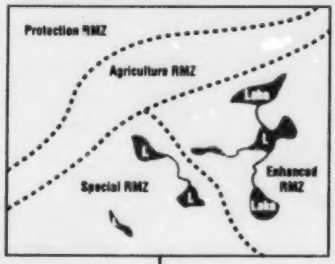
Q. Who ensures that an HLP is achieved?

A. The MOF district manager, and in specified areas the MELP DEO, through the review and approval of operational plans. Forest licensees must ensure that operational plans are consistent with all HLPs in effect for the operational plan area.

USING HLPS TO IMPLEMENT STRATEGIC LAND USE PLANS— OVERVIEW

This diagram illustrates how HLPs are established and used to legally direct forest operational planning. Details follow on pages 7 and 8.

1 LRMP example section



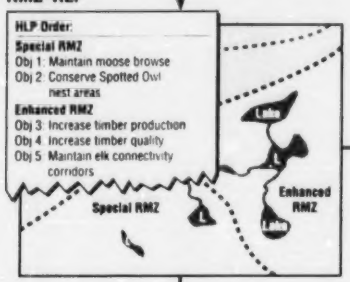
Land and resource management planning translates society's values into objectives for land and resource use within defined geographic areas.

2 Implementation mechanisms

LRMP RMZ	Resource value	Objective theme (summary)	Implementation mechanism
Agriculture	Agriculture	Provide for expansion	Land Act
Protection[1]	Recreation	Protect resources	Protected Areas of B.C. Act
Special Resource Management	Riparian	Conserve riparian areas	FPC Act[2]
	Lakes	Conserve visual resources	FPC Act[2]
	Moose	Maintain browse	RMZ–HLP[3]
	Spotted Owl	Conserve nest areas	RMZ–HLP/LU–HLP[4]
Enhanced Resource Management	Timber	Increase production	RMZ–HLP[3]
		Increase quality	RMZ–HLP[3]
	Elk	Maintain connectivity corridors	RMZ–HLP/LU–HLP[4]

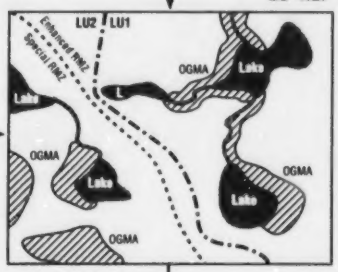
Land use plans are implemented through various pieces of resource legislation and policies (e.g., Protected Areas of B.C. Act, FPC Act).

3 RMZ–HLP



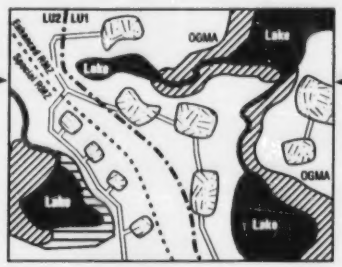
legally binding direction

4 LU–HLP



RMZ-HLPs are forest resource management objectives, typically derived from LRMPs, for large zones of a planning area.

legally binding direction



legally binding direction

The LU-HLP currently focuses on biodiversity conservation at the landscape level.

5 Forest Development Plan

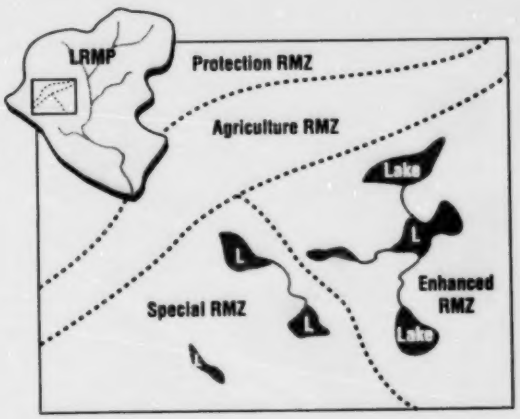
An FDP must be consistent with all HLPs in effect for the area in which it is located.

USING HLPS — DETAIL

This example illustrates how HLP objectives can be derived from a strategic land use plan (LRMP). HLP objectives can also be created independently of an LRMP. For example, LU–HLPs are frequently established through a landscape unit plan.

1 LRMP area and example section

A strategic land use plan such as an LRMP identifies broad resource management objectives for a large area. An LRMP planning area is commonly separated into various resource management zones (RMZs) representing different kinds and intensities of resource use. Special RMZs are generally more conservation-oriented and Enhanced RMZs more timber-focused.



2 Implementation mechanisms

Strategic land use plan objectives (summarized here as themes) are implemented through various pieces of resource legislation and policies. For example, protected areas are established through the *Protected Areas of British Columbia Act* or the *Environment and Land Use Act*, and agricultural expansion reserves through the *Land Act*.

Some forest resource management objectives are implemented as policy guidance to operational planning (examples not shown here). Others are implemented as legally binding direction through the FPC Act as regulations on forest practices (e.g., for riparian areas) or as HLPs.

Note: The table at the right provides only selected examples of LRMP objective themes. It does not identify all possible resource values, objective themes, or implementation mechanisms.

LRMP RMZ	Resource value	Objective theme (summary)	Implementation mechanism
Agriculture	Agriculture	Provide for expansion	Land Act
Protection[1]	Recreation	Protect resources	Protected Areas of B.C. Act
Special Resource Management	Riparian	Conserve riparian areas	FPC Act[2]
	Lakes	Conserve visual resources	FPC Act[2]
	Moose	Maintain browse	RMZ–HLP[3]
	Spotted Owl	Conserve nest areas	RMZ–HLP/LU–HLP[4]
Enhanced Resource Management	Timber	Increase production	RMZ–HLP[3]
		Increase quality	RMZ–HLP[3]
	Elk	Maintain connectivity corridors	RMZ–HLP/LU–HLP[4]

[1] A Protection RMZ, once implemented through legislation, is no longer subject to the LRMP or its amendments.

[2] In this example, riparian areas and visual resources around key lakes are conserved through provisions under the FPC Act.

[3] Objectives for maintaining moose browse and timber production/quality are implemented through RMZ–HLPs.

[4] Conservation of Spotted Owl nest areas and maintenance of elk habitat are addressed in both RMZ– and LU–HLPs. The RMZ–HLP addresses these resource values generally through cutblock design and harvesting methods. Landscape unit planning may be able to place some old growth management areas (OGMAs) to help achieve these objectives.

3 Resource Management Zone HLP

RMZ–HLP objectives and zones are usually drawn from Regional Land Use Plan or LRMP recommendations. In this example, five objective themes from the LRMP are established as an RMZ–HLP: two for the Special RMZ and three for the Enhanced RMZ.

Moose, Spotted Owl, and elk objectives have been established to *extend* the FPC Act provisions for conservation. Timber production and quality objectives have been established to *vary* existing FPC Act regulations, as permitted in the legislation.

LU–HLPs and the Forest Development Plan can offer more specific detail on actions to be taken, but they must be consistent with the RMZ–HLP objectives.

4 Landscape Unit HLP

LU–HLP objectives are usually developed through a landscape unit plan.

This example shows two landscape units. LU1, in the Enhanced RMZ, has low biodiversity emphasis. Some OGMAs along lakes and rivers contribute to the RMZ–HLP objective of maintaining corridors for elk habitat.

LU2, in the Special RMZ, has high biodiversity emphasis and, therefore, more OGMAs than LU1. OGMAs have been delineated, where possible, to contribute to the conservation of Spotted Owl nest areas.

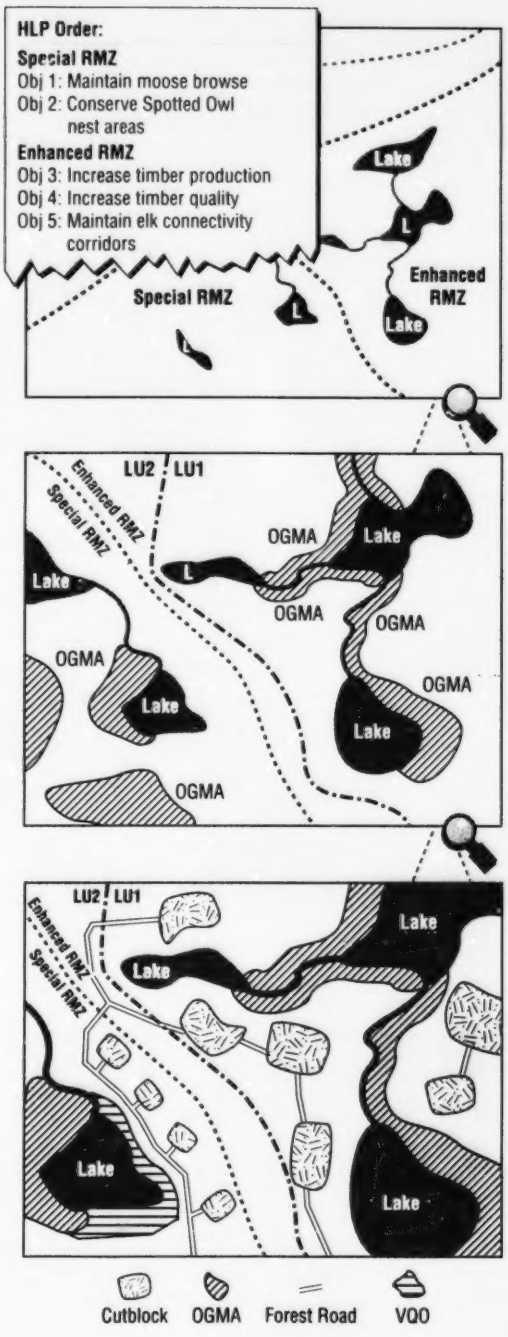
5 Forest Development Plan

The Forest Development Plan (FDP) must be consistent with both the RMZ–HLP and LU–HLP.

In this example, the RMZ–HLP established three objectives for the Enhanced RMZ: increase timber production; increase timber quality; and maintain elk connectivity corridors (RMZ–HLP and LU–HLP). The FDP meets these objectives, respectively, by: increasing cutblock size and reducing harvesting intervals; fertilizing cutblock areas and thinning trees; and locating cutblocks back from lakes and riparian areas that are elk corridors.

The RMZ–HLP established two objectives for the Special RMZ: maintain moose browse and conserve Spotted Owl nest areas (RMZ–HLP and LU–HLP). The FDP meets the first objective by maintaining 10% of the area as young forest suitable for moose browse. It meets the second objective by placing fewer roads and smaller cutblocks to maintain interior forest habitat for Spotted Owls.

Consistent with the LRMP, the MOF district manager has also established a visual quality objective (VQO) around part of the lake to protect viewscapes.



TYPES OF HIGHER LEVEL PLANS

The FPC Act provides for four types of HLPs:

Resource Management Zone HLP (RMZ–HLP)
RMZ–HLPs address broad socio-economic and environmental resource values for large areas (zones) typically derived from Regional Land Use Plans or LRMPs. RMZ–HLPs may influence Landscape Unit HLPs.

Landscape Unit HLP (LU–HLP)
LU–HLPs currently focus on biodiversity conservation at the landscape level by creating old growth management areas (OGMAs) and retaining wildlife trees. LUs are classified as low, intermediate, or high biodiversity conservation emphasis, which influences how much land is designated as OGMAs.

▼

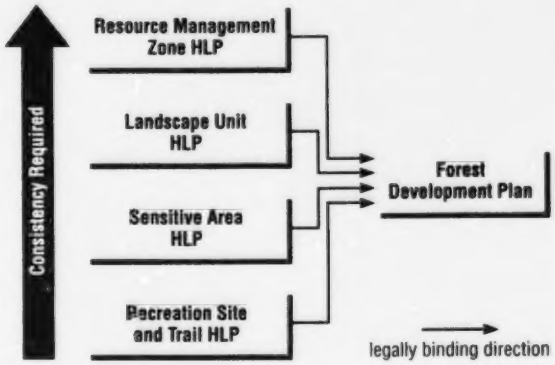
RMZ–HLPs and LU–HLPs establish most of the social and environmental objectives that affect operational planning.

Sensitive Area HLP (SA–HLP)[▽]
SA–HLPs are a "spot-zoning" tool to manage small areas of unique or sensitive forest resources.

Recreation Site and Trail HLP (Site & Trail–HLP)[▽]
Site & Trail–HLPs outline how recreation or interpretive features will be conserved for a specific recreational area.

Relationship between Higher Level Plans and operational plans

All HLPs in effect for a given area must be consistent with one another. A Forest Development Plan (FDP) must be consistent with all HLPs in effect for the FDP area.



Q. Does one HLP affect another HLP?

A. Yes. All HLPs in an area must be consistent with one another. An LU–HLP must be consistent with an RMZ–HLP in the same area. SA–HLPs and Site & Trail–HLPs must be consistent with an LU–HLP and/or RMZ–HLP in the same area.

▽ SA–HLPs and Site & Trail–HLPs are not discussed in detail in this publication because they are less predominant than RMZ–HLPs and LU–HLPs in providing direction to operational planning.

CONTENT OF HIGHER LEVEL PLANS

The scope of HLPs varies. Some HLPs are generally worded objectives for a large area. Others are detailed, quantitative objectives for a relatively small area. The level of detail varies with the type of HLP, the information available, and the options for meeting objectives on the ground.

HLPs can be established without, in conjunction with, or after approval of a strategic land use plan. Occasionally, objectives from land use plans must be clarified to make them more suitable for legal establishment as an HLP.

▼

HLPs should give clear direction on forest resource management objectives.

The following examples illustrate suitable and unsuitable objectives for establishment as HLPs based on content and wording. Example 1 is unsuitable as an HLP objective. Example 2 rewrites the objective to be suitable for establishment as an RMZ–HLP. Example 3 rewrites the objective to be suitable as an LU–HLP.

Objectives to be established as HLPs:

- ***must***
  - pertain to forest resources as defined in the FPC Act (timber, water, wildlife, fisheries, recreation, botanical forest products, forage, biological diversity)
  - be implementable through operational planning as defined in the FPC Act.
- ***should***
  - describe desired future conditions for individual resources or resource uses
  - be measurable, time-specific, and geographically specific
  - provide certainty and clarity, but allow operational flexibility in achieving objectives.

Example objective		Evaluation of objective
1	Address declines in the striped bat population.	Unsuitable RMZ– or LU–HLP objective. No indication of the area to which the objective applies, or of the relationship to an operational activity such as timber harvesting or roadbuilding. Language is vague and lacks detail. "Address" does not communicate the required action. Not measurable.
2	Maintain striped bat habitat by retaining pre-development levels of old-growth forest adjacent to nesting sites.	Suitable objective. Appropriate level of detail for RMZ–HLP. Well-written, specific, measurable (with some interpretation by professionals), can be tied to an operational activity.
3	Maintain striped bat habitat by retaining >48% old-growth cover within 100 m of striped bat nesting sites identified on map A.	Suitable objective. Appropriate level of detail for LU–HLP. Specific, measurable, can be tied to an operational activity.

CHARACTERISTICS OF HIGHER LEVEL PLANS

HLP type	Statutory decision-maker(s)	Objective themes	Typical scale (ha)	Appropriate boundaries	Example values or activities
Resource Management Zone	Ministers of MOF, MELP, and MEM (can be delegated to MOF regional manager, MELP regional director, and MEM regional manager)	Provide broad direction usually based on approved Regional Land Use Plans or LRMPs	Several hundred thousand	Based on resource values, land use considerations, topographic features	Caribou habitat conservation; general measures for protecting viewscapes along major travel corridors
Landscape Unit	MOF district manager with approval of MELP designated environment official (DEO)	Conserve biodiversity and other forest resources	30 000–150 000	Topographic or geographic features	Old growth; wildlife trees
Sensitive Area	MOF district manager with approval of MELP DEO	Manage or conserve unique or locally significant forest resource values	≤ 1000	Extent of individual resource values	Rare plant communities; significant recreation features; unique cultural heritage resources
Recreation Site and Trail	Chief forester approves establishment of sites and trails MOF district manager establishes objectives	Manage recreation and protect the recreation resource	Variable	Recreation features and settings	Interpretive forest site; campground; river or lake access; cross-country ski trail

Q. Can HLPs help to conserve biodiversity and protect endangered species?

A. Yes. HLPs can complement biodiversity and wildlife conservation measures delivered through the Identified Wildlife Management Strategy, or other means. HLPs can be used to maintain suitable habitat on Crown land by influencing the location, method, and timing of forestry operations (e.g., cutblock placement, harvesting).

Q. Can HLPs help to encourage timber production in a specified area?

A. Yes. HLPs can be used to vary some specified provisions in FPC legislation. For example, HLPs can be used to increase maximum cutblock size or reduce harvesting intervals in areas of enhanced resource management. However, HLPs cannot be used to vary allowable annual cut as determined by the chief forester.

Q. Can HLPs set limits for controlling logging cost increases?

A. No. HLPs can only direct activities and practices that may affect logging costs—they cannot set limits for those costs.

OPERATIONAL PLANS

An operational plan, such as a Forest Development Plan (FDP), details on-the-ground forest resource use and management for a specified area. An FDP establishes the methods, schedules, and responsibilities for accessing, harvesting, renewing, and conserving forest resources.

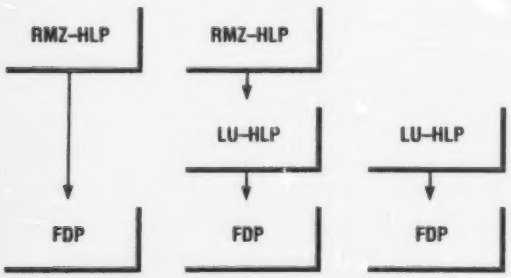
▼

HLPs increase the legal certainty that forestry operations are consistent with the vision and intent of key forest resource management objectives for the area.

HLPs can give direction to an FDP in several ways: as an RMZ–HLP or LU–HLP directly to an FDP, or as an RMZ–HLP through an LU–HLP to the FDP.

An FDP must meet all requirements of FPC legislation. An FDP must also be consistent with all HLPs in the FDP area within four months of their establishment. Before an FDP can be approved, the MOF district manager (and, in specified areas, the MELP designated environment official) must be satisfied that the plan will adequately manage and conserve the forest resources in the FDP area.

How HLPs provide legal direction to an FDP



DEVELOPING AND APPROVING HLPS

Resource Management Zone HLPs

RMZ–HLPs are developed and approved through a three-stage process:

Stage 1 A team of MOF/MELP staff identifies the components of a strategic land use plan that are appropriate to become legally binding under an HLP. In some cases, strategic land use planning tables make recommendations from which staff develop the proposed HLP content. Government executive planning committees review the draft content to ensure that it accurately captures the intent of the land use plan and that the objectives are suitable for an HLP. The three ministers (MOF, MELP, MEM) approve the HLP content and drafting of the HLP order.

Stage 2 Regional and district MOF/MELP staff, with the help of MOF Forest Practices Branch, draft the HLP order based on direction from the three ministers, legislation, and provincial policy. Legal counsel and government executive planning committees resolve any issues that arise and review the draft HLP order before its release for public review and comment.

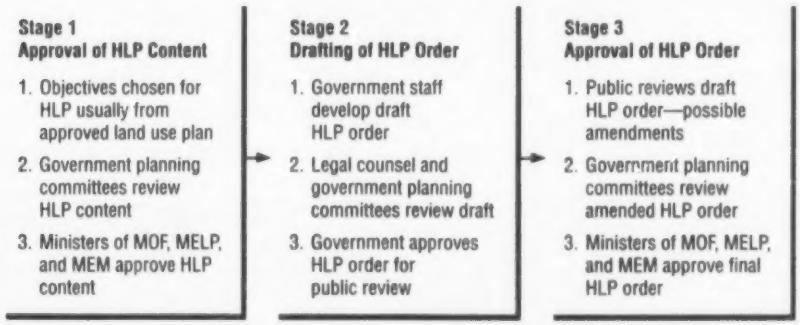
Stage 3 Regional government staff co-ordinate a public review process and may amend the HLP order based on comments received. Where there are few changes, the order may go directly to ministers. Where changes are substantive, government executive planning committees may review the amended order before sending it to the three ministers for approval and signing. The approved HLP order is filed with the MOF regional manager. The process concludes with a public notice and display of the approved HLP order and RMZ boundary map at MOF regional and district offices.

continued...

DEVELOPING AND APPROVING HLPS (continued)

RMZ–HLP development and approval process

RMZ–HLPs are developed through a three-stage process involving resource agency staff, the public, and the three ministers of MOF, MELP, and MEM.


Stage 1
Approval of HLP Content
1. Objectives chosen for HLP usually from approved land use plan
2. Government planning committees review HLP content
3. Ministers of MOF, MELP, and MEM approve HLP content
Stage 2
Drafting of HLP Order
1. Government staff develop draft HLP order
2. Legal counsel and government planning committees review draft
3. Government approves HLP order for public review
Stage 3
Approval of HLP Order
1. Public reviews draft HLP order—possible amendments
2. Government planning committees review amended HLP order
3. Ministers of MOF, MELP, and MEM approve final HLP order

Note: The ministers may delegate the authority to establish, vary, or cancel an RMZ to their regional representatives—the MOF regional manager, MELP regional director, and MEM regional manager.

Landscape Unit HLPs

The LU–HLP development and approval process has similar legal procedural requirements to the RMZ–HLP, but occurs at the forest district level with district participants. A district technical team of planners, forest ecosystem specialists, and managers develops the draft LU–HLP content and submits it to the MOF district manager and MELP DEO for approval-in-principle. Following a 60-day public review and comment period, the draft HLP order may be revised and is resubmitted to the district manager and the MELP designated environment official for approval. The MOF district manager establishes the HLP order, which is legally binding, by filing it with the MOF regional manager.

CONCLUSION

The inclusion of Higher Level Plans in the FPC Act enables forest resource management objectives, frequently derived from strategic land use plans, to be legally established.

HLPs strengthen the link between strategic and operational planning, ensuring that the vision and intent of strategic land use plans are carried through to practices on the ground.

HLPs vary or extend provisions of FPC legislation to manage British Columbia's diverse landscapes and resource issues.

ACRONYMS

	DEO	designated environment official
	FDP	Forest Development Plan
	FPC	Forest Practices Code
▼	**HLP**	Higher Level Plan
	IWMS	Identified Wildlife Management Strategy
	LRMP	Land and Resource Management Plan
	LU	landscape unit
	LUCO	Land Use Coordination Office
▼	**LU–HLP**	Landscape Unit Higher Level Plan
	MELP	Ministry of Environment, Lands and Parks
	MEM	Ministry of Energy and Mines
	MOF	Ministry of Forests
	OGMA	old growth management area
	RMZ	resource management zone
▼	**RMZ–HLP**	Resource Management Zone Higher Level Plan
	SA	sensitive area
▼	**SA–HLP**	Sensitive Area Higher Level Plan
▼	**Site & Trail–HLP**	Recreation Site and Trail Higher Level Plan

MORE INFORMATION

▼ **on Higher Level Plans:**
www.for.gov.bc.ca/hfp/planning/planning.htm

on strategic land use planning:
www.luco.gov.bc.ca

on Identified Wildlife Management Strategy:
www.elp.gov.bc.ca/wld/

on Forest Practices Code:
www.for.gov.bc.ca/tasb/legsregs/fpc/fpc.htm

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GLOSSARY

Forest Development Plan (FDP)
See *Operational plan.*

▼ **Higher Level Plan (HLP)**
A forest resource management objective established as legally binding through a written order. An HLP may vary or extend FPC legislation.

Land and Resource Management Plan (LRMP)
A strategic land use plan developed through a consensus-based process requiring public participation. The plan establishes direction for land use and specifies broad resource management objectives and strategies.

Landscape unit (LU)
A planning area established under the FPC Act based on geographic features such as a watershed, and generally up to 150 000 ha.

Legally binding
Provisions that must be followed and that can be enforced through the legal system.

Old growth management area (OGMA)
An area established under an LU–HLP that conserves old-growth forest and is managed to maintain old-growth attributes.

Operational plan
A plan under the FPC Act that details the methods, schedules, and responsibilities for accessing, harvesting, renewing, and conserving forest resources on the ground (e.g., Forest Development Plan).

Regional Land Use Plan
A strategic land use plan that identifies land and resource management strategies at a regional level (Vancouver Island Land Use Plan, Kootenay–Boundary Land Use Plan, Cariboo–Chilcotin Land Use Plan).

Resource management zone (RMZ)
In a strategic land use plan, a zone designated for a particular type of resource management.

In an HLP, a zone established by the ministers of MOF, MELP, MEM (or their designates) under the FPC Act as the area to which an HLP objective applies.

Sensitive area (SA)
A small area (< 1000 ha) established under the FPC Act by an MOF district manager to manage or conserve unique or locally significant resource values.

Strategic Land Use Plan
A plan, developed through a participatory process for a relatively extensive geographic area, that indicates land use allocation and/or resource management direction (e.g., Regional Land Use Plan, LRMP).

HIGHER LEVEL PLANS: FREQUENTLY ASKED QUESTIONS

Q. What is a Higher Level Plan (HLP)?

A. An HLP is a forest resource management objective that is established as legally binding by a written order. The objective applies to a resource management zone, landscape unit, sensitive area, recreation site, recreation trail, or interpretive forest site. HLPs are a provision of the FPC Act that give direction to operational plans.

Q. What is the purpose of HLPs?

A. HLPs enable government to make forest resource management objectives, often derived from strategic land use plans, legally binding. In this way, HLPs help to increase accountability in operational planning. HLPs also provide a means to vary or extend FPC legislation to address local resource management issues.

Q. What is an HLP order?

A. An HLP order is a written document that legally establishes the HLP objectives, the boundaries of the area to which they apply, and the date that the HLP will take effect. To be approved, the order must be signed by one or more statutory decision-makers as defined under the FPC Act.

Q. Is there a requirement to prepare HLPs?

A. No. While the FPC Act provides for HLPs to make selected forest resource management objectives legally binding, it does not require that HLPs be established. However, if a resource management zone, landscape unit, sensitive area, or recreation site or trail is established, HLP objectives must be established for these areas.

Q. Why are strategic land use plans implemented as both policy and through legislation?

A. Strategic land use plans identify resource management objectives for large areas with diverse environments and variable information bases. Objectives that relate to broad concepts unsuitable for implementation through legislation, or which have no legislation to make them legally binding, are most appropriate as policy guidance. Objectives that have readily measurable outcomes and a legislative mechanism (such as the FPC Act) to make them binding can be legally established through legislation.

Q. What is the relationship between Regional Land Use Plans/LRMPs and HLPs?

A. Regional Land Use Plans and LRMPs address many issues and resource values that can be implemented through legislation or as government policy. HLPs, through the FPC Act, enable some of the forest resource management objectives from Regional Land Use Plans and LRMPs to be made legally binding.

The Land Use Coordination Office (LUCO) oversees Regional Land Use Plans and LRMPs. The Ministry of Forests (MOF), in co-operation with the Ministry of Environment, Lands and Parks (MELP), and Ministry of Energy and Mines (MEM), administers HLPs.

Q. Does one HLP affect another HLP?

A. Yes. All HLPs in an area must be consistent with one another. An LU–HLP must be consistent with an RMZ–HLP in the same area. SA–HLPs and Site & Trail–HLPs must be consistent with an LU–HLP and/or RMZ–HLP in the same area.

Q. Can HLP requirements vary FPC Act regulations?

A. Yes. An HLP can introduce a requirement that varies from those in FPC Act regulations if:

- the regulations specifically allow an HLP to vary the noted limit or specification, or
- the HLP objective still meets or exceeds the minimum FPC Act requirements.

Q. Can the Forest Practices Board and Forest Appeals Commission review decisions concerning the establishment or content of HLPs?

A. Under the terms of the FPC Act, the Board and the Appeals Commission are not legally able to review HLP decisions or content. However, the Board may conduct audits or investigate complaints regarding consistency of operational plans with HLPs.

(continued...)

HIGHER LEVEL PLANS: FREQUENTLY ASKED QUESTIONS (continued)

Q. How do HLPs affect access for mineral exploration?

A. The *Mining Rights Amendment Act* (MRA Act) (1998) assures access for mineral exploration and development outside of protected areas. Under the MRA Act, the MEM chief inspector of mines may decide whether a special use permit (SUP) under the FPC Act is required to allow off-tenure access to conduct on-tenure mineral exploration work permitted under the *Mines* Act.

Where required by the chief inspector of mines, the MOF district manager must issue an SUP for the construction of appropriate access. The SUP would be subject to "any applicable HLP" as specified by the ministers of Energy and Mines; Environment, Lands and Parks; and Forests.

The FPC Act defines an applicable HLP as an objective for a resource management zone that applies to SUPs for mineral access. By comparison, all other HLPs direct operational plans.

Q. Can HLPs help to conserve biodiversity and protect endangered species?

A. Yes. HLPs can complement biodiversity and wildlife conservation measures delivered through the Identified Wildlife Management Strategy or other means. HLPs can be used to maintain suitable habitat on Crown land by influencing the location, method, and timing of forestry operations (e.g., cutblock placement, harvesting).

Q. Can HLPs help to encourage timber production in a specified area?

A. Yes. HLPs can be used to vary some specified provisions in FPC legislation. For example, HLPs can be used to increase maximum cutblock size or reduce harvesting intervals in areas of enhanced resource management. However, HLPs cannot be used to vary allowable annual cut as determined by the chief forester.

Q. Can HLPs set limits for controlling logging cost increases?

A. No. HLPs can only direct activities and practices that may affect logging costs—they cannot set limits for those costs.

Q. Can operational plans be approved without HLPs in place?

A. Yes. An MOF district manager can approve an operational plan without an established HLP for the area so long as the operational plan meets all the requirements of FPC legislation.

Q. Who ensures that an HLP is achieved?

A. The MOF district manager, and in specified areas the MELP DEO, through the review and approval of operational plans. Forest licensees must ensure that operational plans are consistent with all HLPs in effect for the operational plan area.

DEO	Designated Environment Official
FPC Act	*Forest Practices Code of British Columbia Act*
HLP	Higher Level Plan
LRMP	Land and Resource Management Plan
LUCO	Land Use Coordination Office
LU–HLP	Landscape Unit HLP
MELP	Ministry of Environment, Lands and Parks
MEM	Ministry of Energy and Mines
MOF	Ministry of Forests
MRA Act	*Mining Rights Amendment Act*
RMZ–HLP	Resource Management Zone HLP
SA–HLP	Sensitive Area HLP
Site & Trail–HLP	Recreation Site and Trail HLP
SUP	Special Use Permit

ROLES AND RESPONSIBILITIES RELATED TO STRATEGIC LAND USE PLANS, RMZ–HLPS, AND LU–HLPS

Roles	Regional Land Use Plans/ LRMPs	RMZ–HLP	LU–HLP
MOF district manager **MELP designated environment official (DEO)**	Technical input and approval of staff support for Regional Land Use Plans and LRMPs	MOF district manager will make minister-approved HLP order available to public MOF district manager will ensure compliance with RMZ–HLP through approval of operational plans	MOF district manager reviews LU objectives developed by district planners and MELP forest ecosystem specialist MOF district manager establishes, MELP DEO approves LU–HLP order prepared by staff. MOF district manager files approved order with MOF RM
MOF regional manager (RM) **MELP regional director (RD)** **MEM regional manager (RM)**	Technical input and approval of staff support for Regional Land Use Plans and LRMPs 1st endorsement of LRMP content	MOF RM is responsible for public review process Minister-approved HLP is filed with MOF RM. MOF RM makes order available to public If ministers delegate authority, MOF/MEM RMs and MELP RD can establish, vary, or cancel RMZs and objectives	Make LU order, maps, and related documents available for viewing to public LU–HLP order is filed with MOF RM
Assistant deputy ministers	Review Regional Land Use Plans Review LRMP and products	Review initial content for proposed HLP Review draft HLP order after legal counsel and approve for public review Review final HLP order Send comments to technical staff	Approve policy/procedures Chief forester may give direction
Deputy ministers	Review Regional Land Use Plans Review LRMP and products Approve LRMP schedules and priorities	Review initial content for proposed HLP Address contentious issues and review final HLP order for minister approval	No involvement
Ministers (MOF, MELP, MEM)	Approve Regional Land Use Plans Approve LRMPs	Approve initial proposed content of HLP Approve final HLP order (may consult with ELUC before approving)	Approved RMZ–HLP may guide LU planning

DEO	Designated Environment Official
ELUC	Environment and Land Use Committee
HLP	Higher Level Plan
LRMP	Land and Resource Management Plan
LU–HLP	Landscape Unit HLP
MELP	Ministry of Environment, Lands and Parks
MEM	Ministry of Energy and Mines
MOF	Ministry of Forests
RD	Regional Director
RM	Regional Manager
RMZ–HLP	Resource Management Zone HLP

RMZ–HLP DEVELOPMENT

The following table illustrates how RMZ–HLPs are developed through a three-stage process involving resource agency staff, the public, and ministers. The ministers may delegate their responsibilities to their regional agency representatives.

Stage	Tasks and activities	Participants
Stage 1: Obtain Approval-in-Principle	**Develop HLP Content for Approval-in-Principle**	
	• Identify content of strategic land use plan appropriate for HLP	MOF/MELP district and regional staff on IPT or regional planning teams; AST
	• Consult with strategic land use planning tables and statutory decison-makers as appropriate	Strategic land use planning tables; IPT; MOF district manager; MELP DEO
	• Submit proposed HLP content to MOF regional manager, MELP regional director, MEM regional manager, and IAMC	MOF, MELP, MEM regional staff; IAMC
	• Review proposed content for legal compliance with Forest Practices Code	Forest Practices Branch; Ministry of Attorney General
	ADM and Deputy Minister Review	
	• Review any issues about interpretation of land use recommendations (as required)	AST; Forest Practices Branch; ± ADMs LUCC; ± DMCALU
	• Review proposed HLP content	ADMs LUCC; DMCALU
	Ministerial Review for Approval-in-Principle	
	• Review proposed HLP content and provide approval-in-principle	Ministers (MOF, MELP, MEM)
Stage 2: Draft HLP Order	**Prepare Order and Support Material**	
	• Develop draft HLP order based on ministerial direction, legislation, provincial policy; refer to legal counsel for input/advice	AST; Forest Practices Branch
	• Review draft HLP order and approve for public review and comment process	ADMs LUCC
	• Implement 60-day public review and comment process	MOF regional staff
Stage 3: Approve, File HLP Order	**Review and Comment**	
	• Amend draft HLP order as appropriate based on public review	AST; MOF/MELP region; Forest Practices Branch
	• Review draft HLP order as appropriate	ADMs LUCC; DMCALU
	Ministerial Review and Approval	
	• Review draft HLP order and provide final approval and signing (may be approached individually)	Ministers (MOF, MELP, MEM)
	• File approved HLP order with MOF regional manager	Forest Practices Branch
	• Advertise public notice of approved order and arrange public viewing of HLP order and maps at MOF region, district offices	MOF regional/district manager

AST	Approval Support Team (headquarters and field staff in MELP, MOF, MEM, LUCO)
ADMs LUCC	Assistant Deputy Ministers Land Use and Coastal Committee
DEO	Designated Environment Official
DMCALU	Deputy Ministers Committee on Aboriginal and Land Use Issues
FPC	Forest Practices Code
HLP	Higher Level Plan
IAMC	Interagency Management Committee (regional interagency committee of senior land and resource management officials)
IPT	Interagency Planning Team (local resource managers from MOF, MELP, MEM)